

CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 7/26/2017	NEED RESPONSE BY: 8/11/2017
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: San Joaquin County Human Services Agency	
3. PHONE NO.:	7. SUBJECT: HH Comp./VUR/Institution (Jail) Eligibility	
4. REGULATION CITE(S): 63-402.4	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACL, 12-25, 12-25E, 13-17; PI 8/16/16;	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Ongoing single person GA/CF case. The June GA rent voucher is returned by the post office in July. The EW is unable to get a hold of the client by phone. On 7/24, the EW looks on the local "Who's in Jail" website (run by the local Sheriff's Office) and finds that the client (name, DOB, gender, height, and weight match the client) is in jail as of 6/6/2017 and a "next court date" of 8/1. The EW discontinues the case effective for 8/31 (since there is not 10-days notice for end of July).

- Does going to jail constitute an address change in a single person case (mandatory report for PACF cases)?
- Does the information found on the "Who's In Jail" Website meet the definition of VUR?
- Did the EW take appropriate action to a) look-up the client on the "Who's in jail" website and b) discontinue the case.
- Does the information from the "Who's in Jail" website require independent verification, like IEVS Nat'l Prisoner Match?
- Is there an OI?
- MPP 63-402.2 states that a resident of an institution/jail is ineligible, but do SAR/VUR reporting requirements supersede?

10. REQUESTOR'S PROPOSED ANSWER:

- No, going to jail in a single person case is not a mandatory report for PACF cases.
- No, the information from the "Who's in Jail" website is not Verified Upon Receipt, because the county did not receive it from the client or another primary source (jail) or IEVS. The county did not "receive" the information, but rather "found" it.
- a) No, the EW should not have looked-up the client on the "Who's in Jail" website. If the SIU monitors/finds a client on the "who's in jail" website, matching all vital statistics, it would be considered VUR and the EW should act mid-period.
- b) Even with the information from the "Who's in Jail" website, no, the EW should not have discontinued the case at that time, because the county does not yet know the outcome of the 8/1 court date. The client could return home on 8/1.
- Yes, unless reported by the household, verification of a report of a client in jail would be required before discontinuance.
- No OI exists. The discontinuance should be rescinded unless verified by SIU.
- SAR/VUR reporting requirements supersede 63-402.2. The online regulations haven't been codified with new SAR info.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

- Going to jail does not constitute a change of address and it is not a mandatory report.
- CDSS concurs with the county.
- a) The EW should not have looked up the client on the "Who's in Jail" website because the information on this website is not considered VUR.
- b) The EW should not have discontinued the case. Anytime you have to request verification it is not considered VUR.
- CDSS concurs with the county
- No OI exists, the discontinuance should be rescinded unless verified by client.
- CDSS concurs with the county.

FOR CDSS USE

DATE RECEIVED:

August 3, 2017

DATE RESPONDED TO COUNTY/ALJ:

RA August 15, 2017

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1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 08/09/2017 NEED RESPONSE BY: ASAP
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Los Angeles County
3. PHONE NO.:	7. SUBJECT: Gross Income Deduction for Sponsor's Household Size
4. REGULATION CITE(S): MPP 63-503.493 (a)(1)(A)(ii); 63-503.493 (b)	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACIN I-23-03 dated 04/24/03; ACIN I-102-10 dated 12/29/10; ACIN I-65-11 dated 10/14/11

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

MPP 63-503.493 (a)(1)(A)(ii) states:

"Deduct the food stamp monthly gross income eligibility limit for a household equal in size to the sponsor's household, i.e. the sponsor, the sponsor's spouse and any other person who is claimed or could be claimed by the sponsor, or the sponsor's spouse as a dependent for federal income tax purposes."

When calculating the sponsor's deemed income to a sponsored non-citizen household, should the County use 130% FPL or 200% FPL Gross Income Limit for the sponsor's household size?

If the County is to use the 130% FPL Gross Income Limit, should the sponsor's resources be counted also?

10. REQUESTOR'S PROPOSED ANSWER:

If the sponsored non-citizen's household is MCE conferred, then the County should use the 200% FPL Gross Income Limit for the sponsor's household size. If the sponsored non-citizen's household is not MCE conferred, then the County should use the 130% FPL Gross Income Limit for the sponsor's household size, and the sponsor's resources be counted also.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Based on the information provided, CDSS concurs with the county's proposed answer.

FOR CDSS USE

DATE RECEIVED:

8/9/2017

DATE RESPONDED TO COUNTY/ALJ:

RA 8/11/2017